

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff.

vs.

RAMON ARAGON, *et al.*,

Defendants.

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CV 69-7941 BB (ACE)

RIO CHAMA STREAM SYSTEM  
Sections 3 & 7:

Subfile Nos. CHCB-003-0015B  
CHRB-002-0001  
CHRB-002-0002  
CHRB-003-0001  
CHRB-003-0002  
CHRB-004-0061

**REQUEST FOR PRETRIAL CONFERENCE**

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer ("State") and pursuant to Paragraph II (B)(2) of the Order Amending Procedural Order Filed November 19, 2002, filed October 20, 2003 (Docket No. 7272 ) requests the Court to hold a pretrial conference under Rule 16 of the Federal Rules of Civil Procedure for the defendants and associated subfiles listed below in Sections 3 and 7 of the Rio Chama Stream System:

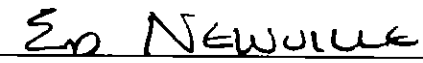
|                        |                |
|------------------------|----------------|
| David Archuleta        | CHCB-003-0015B |
| Lydia Archuleta        | CHCB-003-0015B |
| Joe O. Garcia          | CHRB-002-0001  |
| Mundy Ranch, Inc.      | CHRB-002-0002  |
| J. Placido Garcia, Jr. | CHRB-003-0001  |
| Munira K. Garcia       | CHRB-003-0001  |
| Debbie L. Garcia       | CHRB-003-0001  |

|                                |               |
|--------------------------------|---------------|
| Anthony T. Garcia              | CHRB-003-0001 |
| J. Patrick Garcia              | CHRB-003-0001 |
| Alvin Eversgerd                | CHRB-003-0002 |
| Belva Eversgerd                | CHRB-003-0002 |
| Darby Rev. Living Family Trust | CHRB-004-0061 |

This pretrial conference is requested for the purpose on entering a scheduling order to govern individual proceedings between the State and the above-named defendants prior to an evidentiary hearing on the defendants claims. The State reasonably believes that these defendants and the State will be unable to reach an agreement concerning the defendants' water rights claims.

The State has grouped these subfiles together because they all involve issues related to the issuance of permits by the New Mexico State Engineer for the appropriation and use of surface water.

Respectfully submitted.

  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above Request for Pretrial Conference was mailed to following persons on November 13, 2003.

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Edward G. Newville

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